



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/498,016	02/04/2000	Edward Balassanian	3802-4001	8210

7590 01/02/2002

Morgan & Finnegan, L. L. P.
345 Park Avenue
New York, NY 10154-0053

EXAMINER

WILLETT, STEPHAN F

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 01/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

A.G

Office Action Summary

Application No.

09/498,016

Applicant(s)

Balassanian

Examiner

Stephan Willett

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Feb 4, 2000

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-142 is/are pending in the application

4a) Of the above, claim(s) 41-49, 103-109, 120, 131, and 142 is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-40, 50-102, 110-119, 121-130, and 132-141 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☒ Claims 1-142 are subject to restriction and/or election requirements

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☒ Interview Summary (PTO-413) Paper No(s). 7

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4-6

20) ☐ Other:

DETAILED ACTION

Election/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-40, 50-102, 110-119, 121-130 and 132-141 drawn to routing content, are classified in class 709, subclass 245.
 - II. Claims 41-49, 103-109, 120, 131 and 142, drawn to discovering resources, are classified in class 709, subclass 223.

2. The inventions are distinct, each from the other because:

The claims in Group I involve steps to route data, while the claims in Group II specifically involve discovering resources to be able to route data, which is classified in a different class from Group I.

3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as to route data. In the instant case, invention II has separate utility such as to allow a system to route data. See MPEP § 806.05(d).

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

5. Because these inventions are distinct for the reasons given above and the searches required for Group I is not required for Groups II or III, restriction for examination purposes as indicated is proper.

6. Applicant's election with traverse of claims 1-40, 50-102, 110-119, 121-130 and 132-141 by telephone on 9/26/01 is acknowledged.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-40, 50-102, 110-119, 121-130 and 132-141 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ranger with Patent Number 5,999,940 in view of Chang et al. with Patent Number 5,974,449.

9. Regarding claim(s) 1, 19, 22, 37, 57, 86, 93-95, Ranger teaches data transfer and discovery. Ranger teaches *source and destination appliances*, col. 4, lines 59-64. Ranger teaches *content types*, col. 5, lines 38. Ranger teaches the invention in the above claim(s) except for explicitly teaching *sending the data type to a destination address with its content classification*. In that Ranger operates to transfer data in a computer network, the artisan would have looked to the network communication arts for details of implementing data transfer based on data type. In that art, Chang, a related network communication system, teaches an “invention provides messaging between disparate messaging interfaces that may employ different messaging formats”, col. 3, lines 66-67 in order to provide diverse communication capabilities. Chang specifically teaches that the “system provides notification to an intended recipient using the delivery notification, and presents the processed message having a content format of a second

type to the intended recipient", col. 4, lines 21-24. Further, Chang suggests that "the unique user name and mailbox ID assigned to a subscriber", col. 6, lines 4-5 will result from implementing his communication system. The motivation to incorporate address and content type in a header insures that a recipient is informed of the type of information received for easier processing. Thus, it would have been obvious to one of ordinary skill in the art to incorporate the header as taught in Chang into the communication system described in Ranger because Ranger operates with headers and Chang suggests that optimization can be obtained by using an address and content type header. Therefore, by the above rational, the above claims are rejected.

10. Regarding claims 2-3, 8, 18, 20, 23-24, 26-29, 50, 58, 62-63, 68, 70, 72-73, 75-76, 79, 81-82, 89, 110, 111-112, 115-118, 121-123, 126-127, 132-133, 137-128, Ranger teaches *mapping and tables*, col. 6, lines 11-15 and Chang teaches *converting data types*, col. 4, lines 20-21. Thus, the above claim limitations are obvious in view of the combination.

11. Regarding claims 4, 10, 16, 19, 51, 71, 83, -85, 87, 124, Ranger teaches *destination content types*, col. 6, lines 34-36. Thus, the above claim limitations are obvious in view of the combination.

12. Regarding claims 5, 6, 30, 55, 56, 114, 125, 136, 139, Ranger teaches *an intermediate content type*, col. 6, lines 26-27. Thus, the above claim limitations are obvious in view of the combination.

13. Regarding claims 7, 11, 17, 21, 25 and 31, Chang teaches *an intermediate routing addresses*, col. 5, lines 33-35. Thus, the above claim limitations are obvious in view of the combination.

14. Regarding claims 9, 12, 13, 15, 32-36, 52-54, 59-61, 64-69, 74, 77, 78, 80, 88, 113, 129,

134, 135, Chang teaches *address routing tables*, col. 6, lines 43-47. Thus, the above claim limitations are obvious in view of the combination.

15. Regarding claims 38, 90, 96-101, 119, 130, 141, Ranger teaches *web based data*, col. 5, lines 48. Thus, the above claim limitations are obvious in view of the combination.

16. Regarding claims 39, 91-92 and 102, Chang teaches *list of source and destination resources*, col. 7, lines 65-67. Thus, the above claim limitations are obvious in view of the combination.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited.

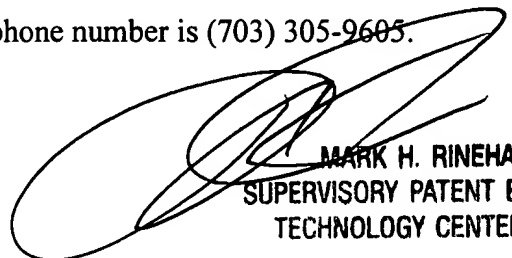
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9731.

20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

sfw

September 26, 2001



MARK H. RINEHART
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100